

Message Text

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ACTION NODS-00

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S E C R E T MOSCOW 11360

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EYES ONLY FOR AMBASSADOR TOON

E.O.11652: XGDS-2
TAGS: ASEC, PDIP, UR, US
SUBJECT: ESPIONAGE CASE INVOLVING SOVIET PERSONNEL

1. AS BACKGROUND FOR YOUR DISCUSSIONS OF POSSIBLE REPERCUSSIONS HERE OF ESPIONAGE ARRESTS, I WOULD LIKE TO FLAG FOR YOUR ATTENTION PREVIOUS SOVIET REACTION TO IMPRISONMENT OF SOVIET CITIZEN IN U.S. FOR ESPIONAGE. THIS OCCURRED IN SPRING OF 1972, A FEW WEEKS BEFORE SUMMIT MEETING. SOVIET RESPONSE WAS TO LURE A PRIVATE AMERICAN CITIZEN TO MOSCOW (SJEKLOCHA) AND ARREST HIM FOR VARIOUS ALLEGED OFFICNSES (NOT ESPIONAGE). JUST BEFORE PRESIDENT DEPARTED U.S. FOR SUMMIT, SOVIET WAS RELEASED AND SO WAS SJEKLOCHA. (GARRISON SHOULD HAVE IN SOV FILES FULL DETAILS OF THIS MATTER.)

2. WITH THIS PRECEDENT IN MIND, AND WITH REGARD ALSO FOR THE MORE TENSE ATMOSPHERE NOW PREVAILING IN U.S.-SOVIET RELATIONS THAN WAS THE CASE IN 1972, I CONSIDER IT PROBABLE THAT SOVIETS WILL ARREST TWO AMCITS WITHOUT DIPLOMATIC IMMUNITY ON SOME SORT OF CHARGES, HOWEVER TRUMPED-UP. THIS RISK OF COURSE WILL INCREASE TO DEGREE DETENTION OF CHERNYAYEV AND ENGER IS PROLONGED, AND IF
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THEY ARE BROUGHT TO TRIAL, WE CAN EXPECT TRIALS OF AMCITS HERE.

3. WE HAVE GIVEN SPECIAL BRIEFINGS TO ALL PERSONNEL WITHOUT FULL DIPLOMATIC IMMUNITY (MARINE GUARDS, SEABEES AND SOME FBO PERSONNEL) TO BE PARTICULARLY CIRCUMSPECT IN THEIR ACTIVITIES SO AS TO MINIMIZE CHANCES FOR A

SET-UP. WE HAVE ALSO REITERATED TO EMBASSY PERSONNEL IN GENERAL THE ABSOLUTE NECESSITY FOR CAREFUL BEHAVIOUR AT THIS TIME. TDYERS KOVACH AND MERSHON WILL DEPART ON MAY 24 AND WILL NOT UNDERTAKE ANY FURTHER INTERNAL TRAVEL. HOWEVER, AS YOU ARE AWARE, NONE OF THIS CAN PREVENT SOVIET COUNTERACTION IF THEY DECIDE TO TAKE IT, AND AMCITS WITH NO CONNECTION TO THE EMBASSY ARE AS VULNERABLE AS ARE OUR OWN PERSONNEL - INDEED PERHAPS MORE SO.

4. SECOND QUESTION INVOLVES U.S. POSITION IF SOVIETS SHOULD ATTEMPT RETALIATORY EXPULSION OF EMBASSY PERSONNEL IN RESPONSE TO ACTION AGAINST ZINYAKIN, AND PERHAPS OTHER TWO AS WELL. OUR STANCE ON KURSCH CASE MAY ACT AS DETERRENT TO SOME DEGREE, BUT IF SOVIETS SHOULD TRY TO RETALIATE AGAINST EMBASSY FOR MISBEHAVIOR OF SMUN OR UN SECRETARITAT OFFICIALS, I FEEL STRONGLY THAT OUR REACTION SHOULD BE SWIFT AND SHOULD NOT BE CONFINED TO ONE-FOR-ONE ACTION AGAINST SOVIETS IN WASHINGTON. IN THIS EVENT, WE SHOULD SQUARELY FACE ISSUE POSED BY IMBALANCE IN THE STAFFING OF OUR RESPECTIVE EMBASSIES, REQUIRE THE SOVIETS TO REDUCE TO OUR SIZE, AND ONLY THEN TAKE ONE-FOR-ONE RETALIATION. TO DO OTHERWISE WOULD MEAN THAT IMPACT ON US IS MUCH HEAVIER THAN IMPACT ON SOVIETS.

5. IF OUR POSITION IS FIRM ON THESE POINTS, IT MIGHT BE DESIRABLE TO FIND A WAY TO CONVEY TO SOVIETS IN ADVANCE
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THE IDEA THAT ANY RETALIATION ON EMBASSY PERSONNEL -- HOWEVER CAMOUFLAGED -- WILL RESULT IN ACTIONS MORE PAINFUL TO THEM THAN TO US. MATLOCK

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